Exh. Po5-44481-rdd Doc 9450-1 Filed 09/20/07 Entered 09/20/07 12:09:05 Exhibit \$\frac{1}{2}\$ Pg 1 of 6

FORM B10 (Official Form 10) (10/05)	ONV	PROOF OF CLAIM
UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK		<b>\</b>
Name of Debtor	Case Number	
Delphi Automotive Systems, LLC	05-44640	Claim #09120 USBC SDNY
NOTE: This form should not be used to make a claim for an administr	ative expense arising after the commencement	Delphi Corporation, et al.
of the case. A "request" for payment of an administrative expense may be	filed pursuant to 11 U.S.C. § 303.	05-44481 (RDD)
Name of Creditor (The person or other entity to whom the debtor owes	Check box if you are aware that anyone	
money or property):	else has filed a proof of claim relating to your claim. Attach copy of statement	
AB Automotive Electronics Ltd.	giving particulars.	
	Check box if you have never received any	
Name and address where notices should be sent:	notices from the bankruptcy court in this	
David M. Schilli	case.	
Robinson, Bradshaw & Hinson, P.A.	Check box if the address differs from the	ļ
101 North Tryon Street, Suite 1900	address on the envelope sent to you by the court.	
Charlotte, NC 28246	ano voni.	THIS SPACE IS FOR COURT USE ONLY
Telephone number: 704-377-2536	Check here replaces	
Last four digits of account or other number by which creditor identifies	a previously i	iled claim, dated:
debtor:	If this claim amends	
1. Basis for Claim	<del></del> -	
	Retiree benefits as defined in 11 U.S.C. §	1114(a)
Services performed	Wages, salaries, and compensation (fill or	it below)
Money loaned	Last four digits of SS#:	
Personal injury/wrongful death	Unpaid compensation for services perform	neo
☐ Taxes ☐ Other		date)
2. Date debt was incurred: Various (see attached)	3. If court judgment, date obtained:	
<b>,</b>	1	
4. Classification of Claim. Check the appropriate box or boxes that be	st describe your claim and state the amount of the	claim at the time case filed. See reverse
side for important explanations.	_	
Unsecured Nonpriority Claim \$ 40.270.22	Secured Claim  Check this box if your claim is se	cured by collateral (including a right of
Check this box if: a) there is no collateral or lien securing your claim	, 01 0)	
your claim exceeds the value of the property securing it, or if c) none or c	Brief Description of Collate	ral:
of your claim is entitled to priority.	Real Estate Motor	enicle Other
Unsecured Priority Claim	Value of Collateral: \$	s at time case filed included in secured
⊠ Check this box if you have an unsecured claim, all or part of which is	claim, if any: \$	
to priority.  Amount entitled to priority \$120,000.00		
Specify the priority of the claim:		purchase, lease, or rental of property or
Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)	(B) corvices for nersonal family or h	iousehold use – 11 U.S.C. § 507(a)(7)
Wages salaries or commissions (up to \$10,000),* earned within 180	days Taxes or penalties owed to govern	mental units - 11 U.S.C. § 50'/(a)(8).
before filing of the bankruptcy petition or cessation of the debtor's business.	ess,	aph of 11 U.S.C. § 507(a)(2). (See attached)
whichever is earlier – 11 U.S.C. § 507(a)(4).	*Amounte are subject to adjustment a	on 4/1/07 and every 3 years thereafter with
Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).	respect to cases commenced on o	r after the date of adjustment.
5. Total Amount of Claim at Time Case Filed: \$40.2	70.22 <b>S</b> \$120.000.00 \$160.2	
(uno	ecured) (secured) (priority) (Total)	sized statement of all interest or additional
Check this box if claim includes interest or other charges in addition		
	to the principal amount of the claim. Attach item	
charges.	to the principal amount of the claim. Attach item	
charges.		THIS SPACE IS FOR COURT USE ONLY
charges.  6. Credits: The amount of all payments on this claim has been credite		
6. Credits: The amount of all payments on this claim has been credite proof of claim.  7. Supporting Documents: Attach copies of supporting documents, St.	d and deducted for the purpose of making this	THIS SPACE IS FOR COURT USE ONLY
charges.  6. Credits: The amount of all payments on this claim has been credite proof of claim.  7. Supporting Documents: Attach copies of supporting documents, since itemized statements of running accounts, contracts, court in	d and deducted for the purpose of making this uch as promissory notes, purchase orders, udgments, mortgages, security agreements, and	THIS SPACE IS FOR COURT USE ONLY
<ol> <li>Credits: The amount of all payments on this claim has been credite proof of claim.</li> <li>Supporting Documents: Attach copies of supporting documents, sinvoices, itemized statements of running accounts, contracts, court judicance of perfection of lien. DO NOT SEND ORIGINAL DOCU</li> </ol>	d and deducted for the purpose of making this uch as promissory notes, purchase orders, udgments, mortgages, security agreements, and	THIS SPACE IS FOR COURT USE ONLY
<ol> <li>Credits: The amount of all payments on this claim has been credite proof of claim.</li> <li>Supporting Documents: Attach copies of supporting documents, si invoices, itemized statements of running accounts, contracts, court ju evidence of perfection of lien. DO NOT SEND ORIGINAL DOCU explain. If the documents are voluminous, attach a summary.</li> </ol>	d and deducted for the purpose of making this such as promissory notes, purchase orders, adgments, mortgages, security agreements, and MENTS. If the documents are not available,	THIS SPACE IS FOR COURT USE ONLY
<ol> <li>Credits: The amount of all payments on this claim has been credite proof of claim.</li> <li>Supporting Documents: Attach copies of supporting documents, s invoices, itemized statements of running accounts, contracts, court ju evidence of perfection of lien. DO NOT SEND ORIGINAL DOCU explain. If the documents are voluminous, attach a summary.</li> <li>Date-Stamped Copy: To receive an acknowledgment of the filing</li> </ol>	d and deducted for the purpose of making this such as promissory notes, purchase orders, adgments, mortgages, security agreements, and MENTS. If the documents are not available,	THIS SPACE IS FOR COURT USE ONLY
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charges.  6. Credits: The amount of all payments on this claim has been credite proof of claim.  7. Supporting Documents: Attach copies of supporting documents, so invoices, itemized statements of running accounts, contracts, court just evidence of perfection of lien. DO NOT SEND ORIGINAL DOCU explain. If the documents are voluminous, attach a summary.  8. Date-Stamped Copy: To receive an acknowledgment of the filing envelope and copy of this proof of claim.  Date  Sign and print the name and title, if any this claim (attach copy of power of attornament).	d and deducted for the purpose of making this such as promissory notes, purchase orders, adgments, mortgages, security agreements, and MENTS. If the documents are not available, of your claim, enclose a stamped, self-addressed, of the creditor of other person authorized to file	THIS SPACE IS FOR COURT USE ONLY

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. \$\$\frac{45}{152}\$ and 35



05-44481-rdd Doc 9450-1 Filed 09/20/07 Entered 09/20/07 12:09:05 Exhibit A

Attachment to Proof of Claim of AB Automotive Electronics Ltd..

In re Delphi Automotive Systems, LLC

Case No. 05-44640

As set forth on the attached proof of claim and described in greater detail below, the claim of AB Automotive Electronics Ltd. (the "Creditor") against Delphi Automotive Systems, LLC (the "Debtor") is comprised of the following components: (A) a reclamation claim having administrative expense priority status under 11 U.S.C. §§ 503 and 507(a)(2) in the amount of \$120,000.00, and (B) a general unsecured claim in the amount of \$40,270.22.

As of the filing of the voluntary petition on October 8, 2005 (the "Filing Date"), the Creditor was owed \$160,270.22 (the "Pre-Petition Balance") for product manufactured for and delivered to the Debtor and for related charges. A summary statement of the invoices comprising the Pre-Petition Balance is attached hereto as **Exhibit A** and incorporated herein by reference.

## (A) The Reclamation Claim

The Creditor delivered a written reclamation demand dated October 14, 2005, to the Debtor in the amount of \$157,449.50 covering all goods sold and delivered to the Debtor by the Creditor within the periods described in § 2-702 of the Uniform Commercial Code and 11 U.S.C. § 546. The invoices that were the subject of the Creditor's written reclamation demand are included within the Pre-Petition Balance. Pursuant to the Amended Final Order Pursuant To 11 U.S.C. §§ 362, 503 And 546 And Fed. R. Bankr. Pro. 9019 Establishing Procedures For Treatment Of Reclamation Claims entered by the Court on November 4, 2005 (the "Amended Reclamation Procedures Order"), the Debtor reconciled the Creditor's written reclamation demand (assigned Delphi Reclamation No. 473) and determined that, subject to the Reserved Defenses (as defined in the Amended Reclamation Procedures Order), the amount of \$120,000.00 (the "Reconciled Reclamation Amount") was the maximum allowable amount of the Creditor's reclamation demand entitled to priority as an administrative expense. A copy of the Debtor's schedule showing those invoices comprising the Reconciled Reclamation Amount is attached hereto as Exhibit B and incorporated herein by reference. The Creditor accepted the Reconciled Reclamation Amount and, therefore, has an Allowed Reclamation Claim as defined in and pursuant to the Amended Reclamation Procedures Order that is entitled to administrative expense priority status under 11 U.S.C. §§ 503 and 507(a)(2) to the extent set forth in the Amended Reclamation Procedures Order.

## (B) General Unsecured Claim

The Creditor's general pre-petition unsecured claim in the amount of \$40,270.22 was calculated by starting with the Pre-Petition Balance and subtracting the amount of the Allowed Reclamation Claim set forth in (A) above.

## Reservation of Rights

The Creditor reserves the right to amend this proof of claim to increase the amount of its general unsecured claim if the Allowed Reclamation Claim is not paid in full as an administrative priority claim. The Creditor files this proof of claim without prejudice to or waiver of any rights or remedies to which it may be entitled under the Bankruptcy Code, applicable law or any order of the Bankruptcy Court, including without limitation the Amended Reclamation Procedures Order.

B Automotive Electronics Ltd.  Debtor Schedule
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**EXHIBIT** 

A

## AB Automotive Electronics Ltd. Debtor Schedule

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104001 DELPHI HARRISON THERMAL SYSTEM																					
SYSTEM																					
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AB Automotive Electronics  Debtor Schedule	cs Ltd.		
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43009 DELPHI AUTOMOTIVE SYSTEMS	519500	\$2,820.72	2

